

Remarks/Arguments

Entry of the present amendment is requested because it is believed to place the application in condition for allowance or better form for appeal.

By the present amendment, Claim 3 has been cancelled, the dependency of Claims 5 and 7 changed, and Claims 12 and 14 have been amended.

The allowance of Claims 9, 11 and 13 is acknowledged and appreciated.

The undersigned apologizes for the confusion with regard to Patent '798. It should have been a reference to Patent No. 6,478,798 which is the parent of U.S. 6,770,075.

Turning now to the rejection of Claims under Section 102, Claims 12 and 14 have been amended to more precisely define the preferred embodiment of the nature described on pages 31 and 32 of this application, and shown in Figs. 16 – 21. The structure involved is substantially different from that of the cited Howland patent. In particular, note the differences in the cylindrical surface 14', the spherical 28' in Figs. 17, and the mating spherical seat 55' on the bottom of the lower clamp 52' adjacent the cylindrical opening 54' as best seen in Fig. 18a. This structure allows 360° rotation as indicated by the circular arrow at the top of Fig. 16 and also allows tilting about the axis of pin 44' in Fig. 16. This is in sharp contrast to the structure shown in the cited patent. Thus, Claims 12 and 14 clearly define the top spherical shoulder 28' (note Fig. 17a), the cylindrical diameter of the swing bolt at 14' without flat surfaces thereon, and the spherical seat 55' in the bottom surface of the lower clamp.

Applicant: Robert S. Howland
Appl. No.: 10/698,087
Examiner: Eduardo C. Robert
Docket No.: 703716.4001

In view of the foregoing, favorable reconsideration is requested.

A Notice of Allowance is earnestly solicited.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 150665.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: 8/18/06

By: Samuel B. Stone
Samuel B. Stone
Reg. No. 19,297

Orrick, Herrington & Sutcliffe LLP
4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
Fax: 949-567-6710